



1/5/01
2151

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group Art Unit No.: 2151

Steven Viavant et al.

Examiner: K. Divecha

Serial No.: 09/945,160

Filed on: August 31, 2001

For: TECHNIQUES FOR SERVER-CONTROLLED MEASUREMENT OF CLIENT-SIDE PERFORMANCE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 together with copies of the documents cited on that form for foreign references and non-patent references. It is respectfully requested that the cited documents be considered and that the enclosed Information Disclosure Citation Form PTO/SB/08a/b be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

_____ 37 C.F.R. §1.97(b).

_____ 37 C.F.R. §1.97(c). If so, then this Information Disclosure Statement includes one of the following:

_____ A statement pursuant to 37 C.F.R. §1.97(e)

_____ 1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

_____ 1.97(e)(2) The undersigned hereby states that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

_____ A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

 X 37 C.F.R. §1.97(d). If so, then this Information Disclosure Statement includes the following:

 X A statement pursuant to 37 C.F.R. §1.97(e)

 X 1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; OR

_____ 1.97(e)(2) The undersigned hereby states that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

AND

_____ A check for \$180.00 for the fee under 37 C.F.R. §1.17(i) for submission of the Information Disclosure Statement.

_____ 37 C.F.R. §1.97(i). Wherein applicants are submitting references before the grant of a patent to be placed in the file but not considered by the Patent office.

- (1) Accordingly, copies of the references as listed on the attached Form PTO 1449 are submitted herewith for placement in the file. No certification or fees are deemed necessary.

Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: May 18, 2007



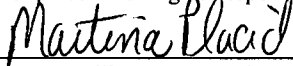
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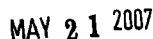
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Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO

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Complete if Known

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|------------------------|------------------|
| Application Number | 09/945,160 |
| Filing Date | August 31, 2001 |
| First Named Inventor | Steven Viavant |
| Art Unit | 2151 |
| Examiner Name | Kamal B. Divecha |
| Attorney Docket Number | 50277-1747 |

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Examiner
Signature

/Kamal Divecha/

Date
Considered

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

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|------------------------|-----------------|
| Application Number | 09/945,160 |
| Filing Date | August 31, 2001 |
| First Named Inventor | Steven Viavant |
| Art Unit | 2151 |
| Examiner Name | Kamal B Divecha |
| Attorney Docket Number | 50277-1747 |

Sheet 2

of

2

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|-----------------------|--------------------------|---|--------------------------|
| /K.D./ | 4 | EPO, "Supplementary European Search Report", EP 02728908.1 (PCT/US0212695), February 19, 2007 | <input type="checkbox"/> |
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Examiner
Signature

/Kamal Divecha/

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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